

CHAPTER 31**ELUDING A LAW ENFORCEMENT VEHICLE**

H.F. 209

AN ACT relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.279, Code 1999, is amended to read as follows:

321.279 ELUDING OR ATTEMPTING TO ELUDE PURSUING LAW ENFORCEMENT VEHICLE.

1. The driver of a motor vehicle commits a serious misdemeanor if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle driven by a uniformed peace officer after being given a visual ~~or~~ and audible signal to stop ~~and in doing so exceeds the speed limit by twenty-five miles per hour or more~~. The signal given by the peace officer shall be by flashing red light ~~or~~ and siren. For purposes of this section, "peace officer" means those officers designated under section 801.4, subsection 11, paragraphs "a," "b," "c," "g," and "h".

2. The driver of a motor vehicle commits an aggravated misdemeanor if the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle that is driven by a uniformed peace officer after being given a visual and audible signal as provided in this section and in doing so exceeds the speed limit by twenty-five miles per hour or more.

3. The driver of a motor vehicle commits ~~an aggravated misdemeanor~~ a class "D" felony if, ~~while participating in a public offense, as defined in section 702.13, that is a felony,~~ the driver willfully fails to bring the motor vehicle to a stop or otherwise eludes or attempts to elude a marked official law enforcement vehicle that is driven by a uniformed peace officer after being given a visual ~~or~~ and audible signal as provided in this section, and in doing so exceeds the speed limit by twenty-five miles per hour or more, and if any of the following occurs:

a. The driver is participating in a public offense, as defined in section 702.13, that is a felony.

b. The driver is in violation of section 321J.2 or 124.401.

c. The offense results in bodily injury to a person other than the driver.

Approved April 15, 1999

CHAPTER 32**FIRE SAFETY — BED AND BREAKFAST INNS**

H.F. 518

AN ACT relating to the fire safety provisions applicable to a bed and breakfast inn.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 137C.35, unnumbered paragraph 2, Code 1999, is amended to read as follows:

A bed and breakfast inn is subject to regulation, licensing, and inspection under this chapter, but separate toilet and lavatory facilities shall not be required for each guest room. Additionally, a bed and breakfast inn is exempt from fire safety rules adopted pursuant to section 100.35 and applicable to hotels, but is subject to fire safety rules which the state fire marshal shall specifically adopt for bed and breakfast inns.

Approved April 15, 1999

CHAPTER 33

CITY CABLE COMMUNICATION UTILITIES — REQUIREMENTS

S.F. 190

AN ACT relating to the requirements for establishing and operating a city cable communication utility.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 364.3, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 7. A city which operates a cable communications system shall manage the right of way on a competitively neutral and nondiscriminatory basis. Additionally, a city-operated cable communications system shall be required to pay the same fees and charges and comply with other requirements as may be imposed by the city by ordinance or by the terms of a franchise granted by the city, or as may otherwise be imposed by the city, upon any other cable provider. This subsection does not prohibit a city from making an equitable apportionment of franchise requirements between or among cable television providers, in order to eliminate duplication. This subsection shall not be construed to prohibit a city-operated cable communications system from making transfers of surplus as otherwise allowed or from making in-kind contributions as otherwise allowed.

Approved April 16, 1999

CHAPTER 34

RECORDS OF FINANCIAL INSTITUTIONS — PRESERVATION

S.F. 233

AN ACT relating to the preservation of records held by financial institutions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 524.221, subsection 1, Code 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A copy is deemed to be an original and shall be treated as an original record in a judicial or administrative proceeding for purposes of